

7) The Court finds attorney Nicole Forsythe's attempt to obtain information about the confidential examinations was done contumaciously and in bad faith.

8) Attorney Nicole Forsythe has previously admitted in open court to not cooperating with and obstructing the Court's appointed General Receiver.

9) The Court finds attorney Nicole Forsythe's non-cooperation with the General Receiver and obstruction of the General Receiver was done contumaciously and in bad faith.

10) The Court has the inherent power to sanction bad faith conduct.¹

11) Notice and an opportunity to be heard were provided to attorney Nicole Forsythe via the *Amended Order and Notice of Hearing*, issued May 9, 2019, and the hearing held on May 13, 2019.

12) The Court hereby sanctions attorney Nicole Forsythe **TEN THOUSAND DOLLARS (\$10,000.00)** for her bad faith conduct in this matter.

13) The Court finds the sanction to be reasonably necessary to protect the Court's orderly administration of its business, namely reasonably necessary to allow the General Receiver to perform his duties as an arm of the Court.

14) The Court hereby Orders that attorney Nicole Forsythe remit sanction in the amount of **TEN THOUSAND DOLLARS (\$10,000.00)** to the General Receiver, who shall deposit this sanction into the account in which Defendants' sanctions are deposited. The sanction shall be remitted to the General Receiver within forty-five (45) days of issuance of this Judgment.

IT IS SO ORDERED.

May 14, 2019

Date



HONORABLE KEVIN DUANE HARRELL

¹ See *McLean v. First Horizon Home Loan, Corp.*, 369 S.W.3d 794, 801 (Mo. App. 2012).

CERTIFICATE OF SERVICE

A copy of the foregoing was delivered to:

FREDERICK RAYMOND SCHLEIPMAN, Attorney for Defendant, 8330 WARD PKWY STE 200, KANSAS CITY, MO 64114, (816) 382-1383, rschleipman@mwccattorneys.com

AARON RUSSELL SCHUMAN, Attorney for Defendant, 8330 WARD PARKWAY, STE 300, KANSAS CITY, MO 64114, aschuman@mwccattorneys.com

JILL KIMBERLY TURNER, Attorney for Defendant, 104 WEST 9TH STREET, SUITE 404, KANSAS CITY, MO 64105, jturner1029@gmail.com

MICHAEL DENNIS MATTEUZZI, Attorney for Plaintiff, 10111 W 105TH ST, OVERLAND PARK, KS 66212, (913) 253-2501, mmatteuzzi@ma2zlaw.com

RICK DALE HOLTSCLOW, Attorney for Plaintiff, 23A East 3rd Street, KANSAS CITY, MO 64106, rick@holtsclawfirm.com

FREDERICK RAYMOND SCHLEIPMAN, Atty Limited Representation, 8330 WARD PKWY STE 200, KANSAS CITY, MO 64114, (816) 382-1383, rschleipman@mwccattorneys.com

DOUGLAS M. WEEMS, Atty Limited Representation, SUITE 1400, 1000 WALNUT STREET, KANSAS CITY, MO 64106-2140, (816) 474-3216, dweems@spencerfane.com

CRAIG M DIVINE, Atty Limited Representation, 104 W. 9TH ST, STE 404, KANSAS CITY, MO 64105, (816) 474-3074, DIVINELAW@LIVE.COM

MICHAEL TODD MOULDER, Attorney for Defendant, MORROW WILLNAUER KLOSTERMAN, CHURCH, L.L.C., 8330 WARD PARKWAY, SUITE 300, KANSAS CITY, MO 64114, (816) 382-1383, tmoulder@mwccattorneys.com

CHARLIE JAMES HARRIS, Attorney for 3rd Party, 4801 MAIN ST, STE 310, KANSAS CITY, MO 64112, (816) 756-3700, CHARLIE@SBHLAW.COM

MICHAEL TODD MOULDER, Atty Limited Representation, MORROW WILLNAUER KLOSTERMAN, CHURCH, L.L.C., 8330 WARD PARKWAY, SUITE 300, KANSAS CITY, MO 64114, (816) 382-1383, tmoulder@mwccattorneys.com

NICOLE ELIZABETH FORSYTHE, Attorney for Defendant, 104 W 9TH ST, STE 404, KANSAS CITY, MO 64105, NICOLE@FORSYTHELAWOFFICE.COM

MATTHEW J BROOKER, Attorney for Plaintiff, MATTEUZZI & BROOKER PC, 10111 W 105TH ST, OVERLAND PARK, KS 66212, (913) 253-2501, MBROOKER@MA2ZLAW.COM

JULIE JOAN GIBSON, Attorney for Plaintiff, 1100 WALNUT ST, SUITE 2900, KANSAS CITY, MO 64106, (816) 292-7601, jgibson@dunndavison.com


RICHARD WAYNE JOHNSON, Attorney for Other Party, 2750 Cherry Street, SUITE 102, KANSAS CITY, MO 64109, THEDEFENDERS2005@GMAIL.COM

JOHN ROOSEVELT CAMPBELL, Attorney for Other Party, 4600 MADISON AVE, SUITE 711, KANSAS CITY, MO 64112, john@johnrcampbelljr.com

JENNIFER LEE ATTERBURY, Attorney for Other Party, 415 EAST 12TH STREET, KANSAS CITY, MO 64106

CRAIG RICHARD HEIDEMANN, Atty Limited Representation, P O BOX 117, 111 WEST BROADWAY, BOLIVAR, MO 65613, (417) 326-2845

KYLE MORGAN, Attorney for Other Party, TAXATION DIVISION, PO BOX 854, JEFFERSON CITY, MO 65105



Zach Smith
Law Clerk, Division 18